

The Honorable Lauren King

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

JEAN-BAPTISTE YAMINDI, NICKIESHA
GORDON, FITSUM SEIFU, and FLORENCE
MASUNDIRE,

Plaintiffs,

v.

CAMERON OSMER and WASHINGTON
STATE PATROL,

Defendants.

No. 2:22-cv-00961-LK

**PRAECIPE REGARDING PLAINTIFFS'
MOTION TO COMPEL AND
SUPPORTING EXHIBITS**

Plaintiffs respectfully submit this Praecipe to address the Court's concerns identified in its September 1, 2023 Minute Order Striking Plaintiffs' Motion to Compel. Plaintiffs' counsel would like to explain what occurred.

1. On Wednesday, August 30, 2023, in response to Plaintiffs' *fourth* request for a time to meet and confer, defense counsel sent the attached email stating: "Respectfully, I cannot accommodate your arbitrary deadlines. I have other pressing matters that take precedence over this case and will look into the issues you have highlighted and get back to you asap." Exhibit 1. Unfortunately, this email branch was inadvertently not included when preparing the declaration of counsel in support of Plaintiffs' Motion to Compel.

2. Plaintiffs' counsel apologizes to the Court for this oversight. Plaintiffs' counsel assures the Court that there was no intent to misrepresent the content of communications from

4. The more substantive response that counsel sent the following day, which included responses in red, is attached here as Exhibit 2, in color. Even in this response, counsel did not provide a date to confer, and stated plainly that whatever response would be forthcoming on September 6, 2023, it would be incomplete. Given that there still was no time offered for a conference, and given that we had received unfulfilled promises to provide this same discovery by a date certain, we felt a motion to compel was appropriate.

DATED this 1st day of September 2022, at Seattle, Washington.

By: /s/ Joe Shaeffer

Attorneys for Plaintiff

DECLARATION OF SERVICE

I, Joe Shaeffer , declare under penalty of perjury under the laws of the State of Washington that I caused to be served in the manner noted below a copy of the foregoing document entitled on the following individual(s):

GORRY SRA, WSBA No. 49999
Assistant Attorney General
Office of the Attorney General – Torts Div.
800 Fifth Avenue, Suite 2000
Seattle, WA 98104-3188
Gorry.Sra@atg.wa.gov
Attorney for Defendants

☒ [X] Via the Court’s CM/ECF system
☐ [] Via First Class Mail
☐ [] Via Email – *per 9/14/2022 E-service agreement*
☐ [] Via Messenger

Kelsey Baye, Paralegal
Kelsey.Baye@atg.wa.gov

Denise Daunais, Legal Assistant
Denise.Daunais@atg.wa.gov

E-service Box
TORSeaEF@atg.wa.gov

DATED this 1st day of September, 2023, at Seattle, Washington.

/s/ Joe Shaeffer
Joe Shaeffer